

## REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on July 6, 2006, the Examiner rejected claims 21-29, 32-38, and 40-43 under 35 U.S.C. 103(a) as being unpatentable over Evans (United States Patent No. 5,924,074, hereinafter “Evans”), Feldon et al. (United States Patent No. 5,732,221, hereinafter “Feldon”), Lavin et al. (United States Patent No. 5,772,585, hereinafter “Lavin”), and Provost et al. (United States Patent No. 6,341,265, hereinafter “Provost”) and further in view of Ho (United States Patent No. 5,619,708, hereinafter “Ho”). Applicant expresses appreciation for the Examiner’s Interview that was conducted on September 7, 2006, and respectfully provides the following:

Applicant respectfully submits that the claim set provided herein is not made obvious by the cited references. The standard for a Section 103 rejection is set for in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the references cited by the Examiner do not teach or suggest the limitations claimed in the present invention. As provided in the Interview Summary, Applicant’s representative proposed amendments during the Examiner’s Interview and the Examiner noted that if the “amendments are made to the claims, they will overcome the Ho reference as applied in the previous Office Action.” Such amendments have been made to the claim set.

Accordingly, Applicant respectfully submits that the references cited by the Examiner do not teach or suggest all of the claim limitations as provided in the claim set. As such, Applicant respectfully submits that the cited references do not make obvious the claims provided herein.

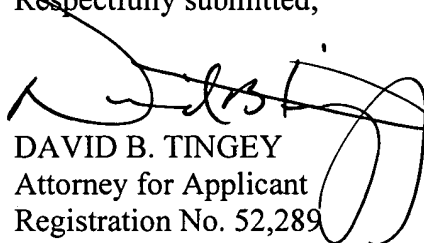
Thus, Applicant respectfully submits that for at least the reasons provided herein, the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action.

### CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 29<sup>th</sup> day of September, 2006.

Respectfully submitted,



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